

# **EXHIBIT B**

**From:** [Don Haviland](#)  
**To:** [James Dugan](#)  
**Cc:** [ecabraser@lchb.com](#); [pgeller@rgrdlaw.com](#); [mdearman@rgrdlaw.com](#); [Bill Platt](#)  
**Subject:** RE: Opioids TPP  
**Date:** Monday, December 2, 2024 2:52:00 PM  
**Attachments:** [Opt-Out Form.IBEW 126.12.2.24.pdf](#)  
[image001.png](#)  
[Cement Masons Local 526 Opt Out.pdf](#)

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James,

I haven't heard from you as to the request for consent.

For your convenience, I am attaching the two confirmed, belated opt outs about which we spoke last week: IBEW 126 (received today from the fund) and Cement Masons 526 (received before the holiday from fund counsel).

We also heard from NY counsel for a Laborers fund, which is having a Trustee meeting tomorrow morning, during which they expect to discuss the settlement.

(A recurring problem with the timing of the settlement notice is that it came after the fall trustee meetings were conducted.).

Should the Laborers decide to opt out, we would include them as well in our late opt out request.

Please confirm receipt.

Thanks

-Don

Donald E. Haviland, Jr., Esq

**Haviland Hughes**

***Please note our new address:***

124 S. Maple Ave., Suite 220

Ambler, Pa 19002

Ph 215-609-4661

Fax 215-392-4400

Ambler – Philadelphia

Atlantic City – Lehigh Valley



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**From:** Don Haviland

**Sent:** Monday, December 2, 2024 9:55 AM

**To:** 'James Dugan' <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>

**Cc:** [ecabraser@lchb.com](#); [pgeller@rgrdlaw.com](#); [mdearman@rgrdlaw.com](#); [Bill Platt](#)

<platt@havilandhughes.com>

**Subject:** RE: Opioids TPP

James

As I told you before the holiday, we have a few funds that did not receive the class notice and would like to file late opt outs.

We should do so today, in conjunction with your status report on opt outs to the court.

We realize this will require court approval, but we are hoping to garner consent of plaintiff counsel.

Please let me know by mid-day whether MDL Plaintiffs consent to the request.

Thanks

-Don

Donald E. Haviland, Jr., Esq

**Haviland Hughes**

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Atlantic City – Lehigh Valley



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**From:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>

**Sent:** Wednesday, November 27, 2024 2:53 PM

**To:** Lori Dillinger <[LDillinger@havilandhughes.com](mailto:LDillinger@havilandhughes.com)>

**Cc:** Don Haviland <[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>; [ecabraser@lchb.com](mailto:ecabraser@lchb.com); [pgeller@rgrdlaw.com](mailto:pgeller@rgrdlaw.com); [mdearman@rgrdlaw.com](mailto:mdearman@rgrdlaw.com); Bill Platt <[platt@havilandhughes.com](mailto:platt@havilandhughes.com)>

**Subject:** Re: Opioids TPP

Got it thanks

Sent from my iPhone

On Nov 27, 2024, at 11:37 AM, Lori Dillinger

<LDillinger@havilandhughes.com> wrote:

Hi Mr. Dugan,

I have attached an excel spread sheet with the full list of the plans that have elected the opt out.

Kind Regards,

Lori

Lori Dillinger  
**on behalf of Haviland Hughes**  
124 S. Maple Ave., Suite 220  
Ambler, Pa 19002  
Ph 215-609-4661  
Fax 215-392-4400  
Ambler – Philadelphia  
Atlantic City – Lehigh Valley

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**From:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>

**Sent:** Wednesday, November 27, 2024 12:17 PM

**To:** Don Haviland <[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>

**Cc:** [ecabraser@lchb.com](mailto:ecabraser@lchb.com); [pgeller@rgrdlaw.com](mailto:pgeller@rgrdlaw.com); [mdearman@rgrdlaw.com](mailto:mdearman@rgrdlaw.com); Bill Platt <[platt@havilandhughes.com](mailto:platt@havilandhughes.com)>; Lori Dillinger <[LDillinger@havilandhughes.com](mailto:LDillinger@havilandhughes.com)>

**Subject:** Re: Opioids TPP

Much appreciated

Sent from my iPhone

On Nov 27, 2024, at 11:10 AM, Don Haviland  
<[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)> wrote:

Thx James

We will send you a list for ease of reference.

I see we just sent the PDFs

Donald E. Haviland, Jr., Esq  
**Haviland Hughes**

***Please note our new address:***

124 S. Maple Ave., Suite 220

Ambler, Pa 19002

Ph 215-609-4661

Fax 215-392-4400

Ambler – Philadelphia

Atlantic City – Lehigh Valley

<image001.png>

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**From:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>

**Sent:** Wednesday, November 27, 2024 12:08 PM

**To:** Don Haviland <[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>

**Cc:** [ecabraser@lchb.com](mailto:ecabraser@lchb.com); [pgeller@rgrdlaw.com](mailto:pgeller@rgrdlaw.com); [mdearman@rgrdlaw.com](mailto:mdearman@rgrdlaw.com); Bill Platt <[platt@havilandhughes.com](mailto:platt@havilandhughes.com)>; Lori Dillinger <[LDillinger@havilandhughes.com](mailto:LDillinger@havilandhughes.com)>

**Subject:** Re: Opioids TPP

Thanks Don will review what you send

Sent from my iPhone

On Nov 27, 2024, at 10:40 AM, Don Haviland  
<[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)> wrote:

James,

It was a pleasure catching up with you.

As explained, we got confirmations for only a few, even though they were all sent in the same manner.

We asked the settlement admin to let us know if they had any issue, and they said it would take 5 days to process. They never responded further.

Copying my partner who oversaw the process for our clients, and my legal assistant.

Lori, please attach to this thread all the opt out forms, in batches of 10 so as not to blow up anyone's email.

James, let us know as soon as you can if we need to do anything further to ensure these opt outs are honored. As I said, we have had calls with distributor counsel in

the Pa case and told them about all the opt outs, and they said nothing.

We can share with you, or whomever, the transmittal emails/confirmations.

If we need to file with the Court, we will.

Thanks, and have a great Thanksgiving with your family.

-Don

Donald E. Haviland, Jr., Esq

**Haviland Hughes**

***Please note our new address:***

124 S. Maple Ave., Suite 220

Ambler, Pa 19002

Ph 215-609-4661

Fax 215-392-4400

Ambler – Philadelphia

Atlantic City – Lehigh Valley

<image001.png>

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**From:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>

**Sent:** Wednesday, November 27, 2024 11:35 AM

**To:** Don Haviland <[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>

**Cc:** [ecabraser@lchb.com](mailto:ecabraser@lchb.com); [pgeller@rgrdlaw.com](mailto:pgeller@rgrdlaw.com); [mdearman@rgrdlaw.com](mailto:mdearman@rgrdlaw.com)

**Subject:** Re: Opioids TPP

Hi Don, good talking to you. You stated that you have 70 opt outs. Can you please send us all of your forms today? We need to put in our December 2 report and let's follow up next week. Thanks and have a great Thanksgiving

Sent from my iPhone

On Nov 27, 2024, at 6:26 AM, Don

Haviland

<[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)> wrote:

Sure thing

Either call my main number 2156094661  
or my cell 2152214941. If reception says  
I'm on a call have her put u thru.

Sent from my Verizon, Samsung Galaxy  
smartphone

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**From:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>

**Sent:** Tuesday, November 26, 2024 8:27:30  
PM

**To:** Don Haviland  
<[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>

**Cc:** Annie McAdam <[amcadam@dugan-lawfirm.com](mailto:amcadam@dugan-lawfirm.com)>

**Subject:** Re: Opioids

Don what about a call at 1000cst 1100est  
in the morning?

Sent from my iPhone

On Nov 26, 2024, at 6:12 PM,  
Don Haviland  
<[haviland@havilandhughes.c  
om](mailto:haviland@havilandhughes.com)> wrote:

Annie

I just tried James' cell but  
couldn't leave a message. I've  
left the office for the day so  
unless it's urgent, we can talk  
tmrw  
Don

Sent from my Verizon,  
Samsung Galaxy smartphone  
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**From:** Don Haviland  
<[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>  
**Sent:** Tuesday, November 26,  
2024 7:07:46 PM  
**To:** Annie McAdam  
<[amcadam@dugan-lawfirm.com](mailto:amcadam@dugan-lawfirm.com)>  
**Cc:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>  
**Subject:** Re: Opioids

Annie  
Please try responding on this  
thread  
I saw a vm come through but  
there was no message left  
-Don Haviland

Sent from my Verizon,  
Samsung Galaxy smartphone  
Get [Outlook for Android](#)

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**From:** Annie McAdam  
<[amcadam@dugan-lawfirm.com](mailto:amcadam@dugan-lawfirm.com)>  
**Sent:** Tuesday, November 26,  
2024 6:10:21 PM  
**To:** Don Haviland  
<[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)>  
**Cc:** James Dugan <[jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)>  
**Subject:** Opioids

Hello Mr Haviland,

James was trying to reach out  
to you but his email is not  
going through - if you could  
please give him a call in re



opioids - his cell is 504-214-0903

Thank you.

Annie McAadam  
Assistant to James R. Dugan, II

**CAUTION:** This email originated outside of the Dugan Law Firm. Please do not reply unless you have verified the sender. NEVER open links, attachments, or take action unless you have verified the sender, know it is safe, and were expecting the content.

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<List of Opt Out Plans.xlsx>

**OPT-OUT FORM**

***In re: National Prescription Opiate Litigation, No. 1:17-md-2804***

I, Ken Harmon, is Business Manager of OPCMIA 526 Combined Funds, Inc. (the "Fund"). Under penalty of perjury, I am a legally authorized representative of the below-identified Fund, a TPP Class Member, who has authority to exclude the Fund from the Settlement:

OPCMIA 526 Combined Funds, Inc.  
1900 Andrew Street  
Munhall, PA 15120

The Fund is a TPP Class Member by reason of having satisfied the prerequisites of the TPP Class definition, including having paid and/or reimbursed for opioid prescription drugs manufactured, marketed, sold, distributed, or dispensed by any of the Defendants and/or Opioid Supply Chain Members for purposes other than resale during the time period from January 1, 1996 through September 2024. The Fund wishes to be excluded from the TPP Class. The Fund is, or may become, a part of the case filed by Plumbers Local Union No. 690 Health Plan in the Court of Common Pleas of Delaware County, Pennsylvania, Case No. CV-2019-007625. Any further contact about this Opt-Out Form should be directed to Fund counsel identified below.

By: 

Ken Harmon  
Business Manager  
OPCMIA 526 Combined Funds, Inc.  
1900 Andrew Street  
Munhall, PA 15120

Counsel for the Fund  
Donald E. Haviland, Jr., Esquire  
haviland@havilandhughes.com  
William H. Platt II, Esquire  
platt@havilandhughes.com  
**Haviland Hughes**  
124 S. Maple Ave., Suite 220  
Ambler, Pa. 19002  
215-609-4661 telephone

Elizabeth F. Charles, Esq.  
**Stephen J. O'Brien & Associates**  
650 Ridge Road, Suite 400  
Pittsburgh, PA 15205  
liz@sobrienlaw.com  
412-788-7560 (office)  
412-788-7563 (fax)

**OPT-OUT FORM**

***In re: National Prescription Opiate Litigation, No. 1:17-md-2804***

I, Richard I. Muttik, am the Fund Administrator of the IBEW 126 Health & Welfare Fund (the "Fund"). Under penalty of perjury, I am a legally authorized representative of the below-identified Fund, a TPP Class Member, who has authority to exclude the Fund from the Settlement:

IBEW 126 Health & Welfare Fund  
3455 Germantown Pike  
Collegeville, PA 19426

The Fund is a TPP Class Member by reason of having satisfied the prerequisites of the TPP Class definition, including having paid and/or reimbursed for opioid prescription drugs manufactured, marketed, sold, distributed, or dispensed by any of the Defendants and/or Opioid Supply Chain Members for purposes other than resale during the time period from January 1, 1996 through September 2024. The Fund wishes to be excluded from the TPP Class. The Fund is, or may become, a part of the case filed by Plumbers Local Union No. 690 Health Plan in the Court of Common Pleas of Delaware County, Pennsylvania, Case No. CV-2019-007625. Any further contact about this Opt-Out Form should be directed to Fund counsel identified below.



Richard I. Muttik, Business Manager/  
Financial Secretary  
IBEW 126 Health & Welfare Fund  
3455 Germantown Pike  
Collegeville, PA 19426  
[Local126@ibewlu126.com](mailto:Local126@ibewlu126.com)  
610-489-1185

Outside Counsel for the Fund:  
Donald E. Haviland, Jr., Esquire  
[haviland@havilandhughes.com](mailto:haviland@havilandhughes.com)  
William H. Platt II, Esquire  
[platt@havilandhughes.com](mailto:platt@havilandhughes.com)  
**Haviland Hughes**  
124 S. Maple Ave., Suite 220  
Ambler, Pa. 19002  
215-609-4661 telephone